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Licensing Committee

Tuesday, 8th March, 2022

PRESENT: Councillor P Wray in the Chair

Councillors P Alderson, N Buckley,
R Downes, B Flynn, A Garthwaite,
J Gibson, Illingworth, J Lennox, L Richards
and L Martin

53 Chair's Opening Remarks

The Chair announced the retirement of John Grieve, Senior Governance Officer within Democratic Services.

In paying tribute, the Chair said John had worked for the Council for almost 45 years, many of those years servicing the Licensing Committee and its Sub Committees together with a variety of other Committees/ Boards and Panels, his knowledge and experience would be greatly missed.

Members and Officers Joined the Chair in expressing their thanks and best wishes to John in his future retirement.

54 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

55 Exempt Information - Possible Exclusion of the Press and Public

There were no items identified where it was considered necessary to exclude the press or public from the meeting due to the nature of the business to be considered.

56 Late Items

There were no late items identified where it was considered necessary to exclude the press or public from the meeting due to the nature of the business to be considered.

57 Declaration of Interests

There were no declarations of interests made at the meeting.

58 Apologies for Absence

Apologies for absence were received from Councillors: H Bithell, A Hutchison and A Smart.

59 Minutes of the Previous Meeting

Draft minutes to be approved at the meeting
to be held on Friday, 27th May, 2022

RESOLVED – That the minutes of the previous meeting held on 14th December 2021, were accepted as a true and correct record.

60 Matters Arising from the Minutes

There were no issues raised under Matters Arising.

61 Licensing Annual Report

The Chief Officer Elections and Regulatory submitted a report which presented the Licensing Committee Annual Report. The report sought to provide information and statistics on the type and number of licensing applications processed by Entertainment Licensing and Taxi and Private Hire Licensing. It also provided information about the enforcement activity and liaison work undertaken by both Sections.

Addressing the Entertainment Licensing element of the report, the Principal Licensing Officer provided further details of the activities undertaken by the Section, in particular:

- The impact on service as a result of the Coronavirus
- Business Support
- Office Arrangements
- Licensing Processing
- Temporary Event Notices
- Complaint Handling
- Covid Related Actions

The Taxi and Private Hire Manager then spoke on the activities of the Taxi and Private Hire Licensing Service which included:

- The impact on service as a result of the Coronavirus
- Statutory Taxi and Private Hire Vehicle Standards
- Vehicle Inspections
- Enforcement and Compliance
- Licensing Statistics
- Decisions Taken
- Refusal and Revocation Decisions
- Suspensions
- Complaints Received

Questions to Entertainment Licensing

Referring to Complaint Handling, Members asked if further details could be supplied in respect of “uncategorised Complaints” – Could a breakdown be provided of the type of complaint within this category.

The Principal Licensing Officer said that information was not readily available, but the requested information would be circulated to Members in due course.

Referring to “Licensing Processing” and the sentence “Sub-committee meetings resumed face-to-face in May 2021, to the disappointment of Members”. A number of Members considered this sentence to be inaccurate, suggesting some Members wished to return to more normal working.

Commenting on the number of Licensing Sub Committees, Members suggested there appeared to be more “additional” meetings required and obtaining enough Members was at times difficult. In responding, the Senior Governance Officer said that at the start of the Municipal Year around 30 Sub Committees are scheduled with approximately one third being cancelled due to lack of business or applications being withdrawn. Additional meetings are often required when an application needs to be considered within a certain timeframe. This year had seen an increase in the number of additional Licensing Sub Committee meetings. The comment by Members that obtaining sufficient Members to serve on these meetings had been a challenge, was accurate.

Questions to Taxi and Private Hire Licensing

Referring to Enforcement and Compliance, Members queried; of the 82 vehicles issued with rectification notices, how many vehicle licenses were later suspended.

In responding the Taxi and Private Hire Licensing Manager said any defects identified were likely to be minor ones and the driver would be able to easily rectify the problem. It would be difficult to identify how many vehicles were later suspended without manually checking each record, but it was likely there would be very few suspensions.

Members noted that 1172 roadside vehicle inspections had been undertaken, of which 34 were vehicles licensed by neighbouring authorities. Members queried why this figure was so low.

Members were informed that a significant number of the vehicle checks were by the police or other partners. The figure of 34 related only to the vehicles checked and recorded by enforcement officers from Leeds City Council.

Members referred to the term “inappropriate behaviour” and asked how this term was defined.

Members were informed that “inappropriate behaviour” was defined as not the most serious offences and could include such issues as rudeness, bad language and not switching the radio off when requested.

With reference to complaints, Members noted that for 2021 a total of 794 complaints had been received, but it was not apparent how many of those complaints were upheld. It was also noted that licence breaches had also risen significantly and Members asked could a breakdown be provided for that category.

Members were informed that information for both of the above was not immediately available and would be circulated to Members in due course.

In offering comment generally, on complaints it was noted that of the millions of journeys made each year in Leeds only 700 complaints had been received, as a percentage this was a very low figure and the trade should be thanked for this.

In responding, the Chair said 99% of drivers were conscientious decent people and we shouldn't always just focus on the small minority who were the subject of complaints. The trade played a vital role in the city, in particular the night-time economy.

Reference was made to the Licensing Statistics, Members noting that more than 650 hackney carriage and private hire drivers had reported to the council that they were not working as licensed drivers, although they had retained their licence, and may in the long run return to the trade. Members asked how this shortfall was made up: was there simply no demand or were drivers licensed elsewhere being used?

The Taxi and Private Hire Licensing Manager said taxi drivers often combine taxi work with other work. During the pandemic the demand for "other work" had increased significantly resulting in some drivers not returning to "taxi and private hire work". Members were informed that currently there were approximately 300 applications for driver training, so the number of new drivers should increase. In terms of any shortfall, it was not being picked up by out of town drivers.

The Chief Officer Elections and Regulatory said that nationally there was a reduction in the number of taxi drivers, many not returning to the trade following the pandemic. It was reported in the media that in some instances, local authorities had reported a 50% reduction in the number of drivers, whereas national statistics produced by the Department for Transport suggest around a 15.9% reduction in drivers nationally and Leeds appears to be comparable with that figure. A link to the national statistics would be circulated to Members following this meeting.

Referring to driver safety, it was suggested that there was a lot of guidance around passenger safety, but nothing about what measures are being put in place to keep the trade safe. The Chair agreed as this was the focus of national guidance from government but that the Executive Member wanted to address driver safety with partners, despite it not being part of the licensing authority's remit.

The Taxi and Private Hire Licensing Manager said that one area that had been considered was the use of CCTV, passengers were supportive of its use, the drivers wanted it and the Licensing Authority were supportive of its introduction, but issues around privacy and how such schemes would be funded were matters which required further consideration.

Referring to the relationship with the trade, one Member said there had been several demonstrations in recent years, there was a huge amount of dissatisfaction from the trade who had no confidence in the taxi and private hire licensing service, the review of the convictions policy together with a number of other policy reviews was a major concern.

The Chair accepted that a lot of tensions had been created, but many conversations had now taken place and good progress had been made in the past ten months. Referring to the review of the accumulation of minor motoring convictions criteria of the Suitability and Convictions Policy, the Chair said a good deal of feedback had been received and was being analysed now before a recommendation would be made to the Licensing Committee for consideration. He also said other areas of the Suitability and Convictions Policy were being looked at, at the request of trade representatives to find solutions which would be fair and reasonable for the trade. The Chair confirmed the Suitability and Convictions Policy would be reviewed in full and this was currently scheduled for 2024 and that the ongoing dispute was a matter of when the process would begin – not if.

As relations between the trade and officers had been raised, the Chair invited Mike Utting, a Trade Representative to contribute to the discussion.

Addressing the Committee Mr Utting confirmed there had been difficulties in the past with the taxi and private hire service. He said the Covid Pandemic had caused a lot of problems for the trade who in turn had to adapt and manage. Recently some positive discussions had taken place with both Councillor Wray and Councillor Coupar and he felt positive steps were being taken. He said the trade representatives were continuing to discuss the Suitability and Convictions Policy, but he remained of the view that the adopted Policy is too vague in parts and could be improved, and these issues should be reviewed. He said we need to rely on good drivers, but without any draconian rules.

In bringing the discussion to a conclusion, the Chair thanked Members, trade representatives and officers for their attendance and contributions.

RESOLVED –

- (i) That the contents of the report be noted
- (ii) That details of the number of complaints upheld, details of the uncategorised complaints for Entertainment Licensing (broken down into the type of complaint) and the number of licence breaches relating to the Taxi and Private Hire Licensing Service (broken down into category) be circulated to all Members of the Committee
- (iii) That details of the reduced number of taxi drivers nationally be circulated to all Members of the Committee.

62 Work Programme 2022

Members considered the ongoing Licensing Committee Work Programme for 2022/23.

RESOLVED – That the Licensing Committee Work Programme for 2022/23 be approved.

63 Date and Time of Next Meeting

RESOLVED - To note that the next meeting will take place on Friday, 27th May 2022 at 10.00am in the Civic Hall, Leeds.